

MT  
cgc  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTENTION: HONORABLE  
COMMISSIONER FOR PATENTS

In re the Patent of: **TAKAHASHI, Naoyo et al.**

P.T.O. Confirmation No.: 9316

Patent No. **7,176,163**

Issued: **February 13, 2007**

For. **PHARMACOLOGICAL ACTION ENHANCER FOR PESTICIDES**

**REQUEST FOR CERTIFICATE OF CORRECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate**  
SEP 08 2008  
**of Correction**

**Mail Stop DAC**  
September 4, 2008

Sir:

It is requested that a Certificate of Correction be issued in the above-identified patent.

Applicant notes that two requests for Certificates of Correction have been filed in this application: on May 7, 2007, and October 3, 2007. The Petition under 37 CFR 1.183 filed with the request dated May 7, 2007, was granted on November 21, 2007. However, the Certificate of Correction issued on December 21, 2007, only reflected the corrections requested on October 3, 2007, but not the other corrections originally requested on May 7, 2007. The present request repeats the request for the previously requested changes that have not been made.

This request is being made in order to correct **errors on the cover page as well as in the claims**. On the cover page, item (30) has been omitted. Please insert the Foreign Application Priority Data to be as it is shown in our Request for the PTO to Acknowledge Receipt of the Priority Document dated February 2, 2004 (copy enclosed).

In the claims, please correct errors in claims 1, 4, 7, and 8 of the Examiner's Amendment/Reason for Allowance (copy enclosed). The error in claim 3 appears to be an error made by our office. It is respectfully submitted that no new matter has been added.

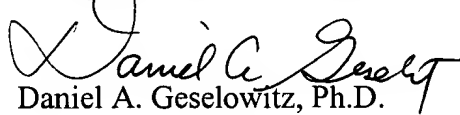
Patent No. 7,176,163

Request for Certificate of Correction

Applicant previously paid a fee with the request filed May 7, 2007, and Applicant believes that no additional fee is due with this request. However, if a fee is required, please charge our Deposit Account No. 01-2340 to cover the required fee.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP

  
Daniel A. Geselowitz, Ph.D.

Agent for Applicants

Reg. No. 42,573

DAG/xl

Atty. Docket No. **011047**

Suite 400

1420 K Street, N.W.

Washington, D.C. 20005

(202) 659-2930



23850

PATENT & TRADEMARK OFFICE

Enclosures: Examiner's Amendment/Reason for Allowance

Request for the PTO to Acknowledge Receipt of the Priority Document

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO.: 7,176,163  
DATED : February 13, 2007  
INVENTOR(S): TAKAHASHI et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page:

please insert item

--(30) **Foreign Application Priority Data**  
Feb. 26, 1999 (JP) ..... 11-51395 --

In column 10:

in claim 1 on line 37 change "(wherein ....." to be -- wherein ..... --  
on line 39 change ".....group)." to be -- ..... group.--

in claim 3 on line 47 change "according to claims 1 to 2," to be -- according to any one of claims  
1 to 2, --

in claim 4 on line 65 change "(wherein ....." to be -- wherein .....--  
on line 68 change "..... group)." to be -- ..... group.--

In column 11:

in claim 7 on line 13 change "more compounds from" to be -- more compounds selected from --  
on line 24 change "(wherein ....." to be -- wherein ..... --  
on line 26 change "..... group)." to be -- ..... group. --

MAILING ADDRESS OF SENDER:  
**KRATZ, QUINTOS & HANSON, LLP**  
**1420 K Street, NW, Suite 400**  
**Washington, DC 20005**

Patent No.:7,176,163

No. of add'l copies  
@ 30¢ per page  
⇒ \_\_\_\_\_

Art Unit: 1616

***Examiner's Amendment / Reason for Allowance***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dr. Geselowitz on 10/31/03.

The application has been amended as follows:

- a) In claims 1,6,9,10 after the structure insert --- , ---.
- b) In claims 1,6,9,10 last two lines delete "(" and ")".
- c) Cancel claim 5.
- d) In claims 9 and 10 line 4 after "compounds" insert --- selected ---.
- e) In claims 11,12,14 line 1 replace "6", "9", "10" with "4", "7", "8".

The following is an examiner's statement of reasons for allowance: Applicant provides unexpected results for combinations comprising instant formula I plus benomyl or bialaphos.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

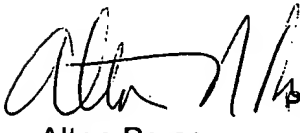
Art Unit: 1616

### Telephonic Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alton N. Pryor whose telephone number is 703 308-4691. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone 703-308-2927. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-1235.

 **ALTON N. PRYOR**  
**PRIMARY EXAMINER**  
Alton Pryor  
Primary Examiner  
AU 1616



UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: TAKAHASHI, Naoyo et al.

Serial No.: 09/926,064

Group Art Unit: 1616

Filed: August 23, 2001

Examiner: Alton N. Pryor

For: PHARMACOLOGICAL ACTION ENHANCER FOR PESTICIDES

P.T.O. Confirmation No.: 9316

**REQUEST FOR THE PTO**  
**TO ACKNOWLEDGE RECEIPT OF THE PRIORITY DOCUMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COPY

Date: February 2, 2004

Sir:

The applicants request the U.S. Patent and Trademark Office to acknowledge receipt of the priority documents from the International Bureau in this national stage PCT application filed under 35 U.S.C. §371.

The attached documents show that the International Bureau properly received the priority documents from the applicant, but the first Office Action dated July 16, 2002 and the Notice of Allowance dated November 3, 2003 do not show any indication that the U.S. Patent and Trademark Office has received the priority document, JP 11/51395 filed on February 26, 1999 from the International Bureau.

The following documents are attached:

1. *Notification Concerning Submission or Transmittal of Priority Document dated April 28, 2000.* This document is an acknowledgment by the International Bureau that it received the priority document.
2. *Notice of Allowance and Fee(s) Due dated November 3, 2003 (2 pages enclosed).*

This document shows a lack of indication as to whether the priority documents have been received by the U.S. Patent and Trademark Office from the International Bureau.

3. *Office Action dated July 16, 2002 (2 pages enclosed).* This document indicates that as of July 16, 2002, the priority documents had not yet been received from the International Bureau.

4. *Filing Receipt dated October 5, 2001 (2 pages enclosed).* This established the fact that priority *claimed* on, JP 11/51395 filed on February 26, 1999 was acknowledged.

This does not however, establish the receipt of the priority document.

For national stage applications filed under 35 U.S.C. 371, the International Bureau is supposed to transmit the priority documents to the designated offices, in this case, the U.S. Patent and Trademark Office.

It is therefore requested that the official application file be checked and then it is further requested that the U.S. Patent and Trademark Office acknowledge that the priority documents have been received or are being requested from the International Bureau.

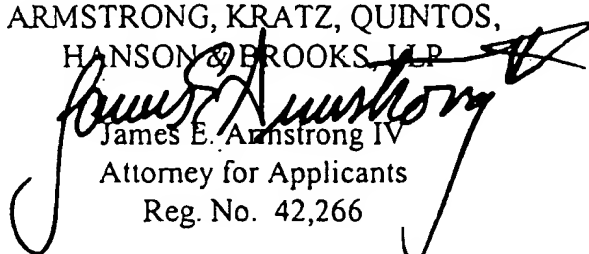
Serial No.: 09/926,064

Docket No. 011047

In the event any fees are required in connection with this paper, please charge Deposit  
Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,  
HANSON & BROOKS, LLP

  
James E. Armstrong IV  
Attorney for Applicants  
Reg. No. 42,266

JAM/xl

Atty. Docket No. 011047  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Enclosures: 1) Notification Concerning Submission or Transmittal of Priority Document  
2) Notice of Allowance and Fee(s) Due  
3) Office Action dated July 16, 2002  
4) Filing Receipt dated October 5, 2001